

REGION 6
DELEGATION

TN-336
March 26, 2010

TOXIC SUBSTANCES CONTROL ACT

R6-12-34. Certification of Individuals and Firms Engaged in Lead-Based Paint Activities

1. AUTHORITY. In States or Indian Country without an authorized Accreditation and Certification Programs under section 404 of the Toxic Substances Control Act (TSCA).
 - a. To grant certification and recertification to individuals engaged in lead-based paint activities pursuant to 40 CFR 745.227 following the submission of an application meeting all the requirements of 40 CFR 745.226.
 - b. To suspend, revoke or modify certification of individuals engaged in lead-based paint activities pursuant to 40 CFR 745.226(g).
 - c. To grant certification to firms that perform, or offer to perform any lead-based paint activities defined in 40 CFR 745, subpart L, pursuant to 40 CFR 745.226(f).
 - d. To suspend, revoke or modify certification of a firm engaged in lead-based paint activities, as defined in 40 CFR 745, subpart L, pursuant to 40 CFR 745.226(h).
 - e. To grant certification to firms that perform, or offer to perform renovation, repair, and painting activities under 40 CFR 745, Subpart E.
 - f. To suspend, revoke or modify certification of a firm or individual engaged in renovation, as defined in 40 CFR 745.83, pursuant to 40 CFR 745.91.
2. TO WHOM DELEGATED. The authorities in 1.a. thru 1.d. above are delegated to the Regional Associate Director for Pesticides, and Toxics of the Multimedia Planning and Permitting Division. The authorities in 1.e. and 1.f. above are delegated to the Assistant Administrator for Prevention, Pesticides, and Toxic Substances (AA/OPPTS).
3. LIMITATIONS. None.
4. REDELEGATION AUTHORITY. These authorities may not be re-delegated.
5. ADDITIONAL REFERENCES.
 - a. Title X, the Housing and Community Development Act of 1992, Public Law 102-550 (also known as “the Residential Lead-Based Paint Hazard Reduction Act of 1992”), which amended the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601) by adding Title IV - Lead Exposure Reduction.
 - b. 40 CFR Part 745.

Delegation of Authority from the
Regional Administrator